LFR an ARCADIS company

November 18, 2009

003-09155-08
transmitted via email only

Ms. Carmen Santos
U.S. Environmental Protection Agency, Region 9
Mail Code WST-5
75 Hawthorne Street
San Francisco, CA 94105

Subject: Conditional Approval of the Toxic Substance Control Act Self-Implementing Cleanup Notification and Certification Former Pacific Electric Motors Facility 1009 66th Avenue in Oakland, California

Dear Ms. Santos:

The property owner, Aspire Public Schools (Aspire) and LFR Inc., an Arcadis company (LFR) would like to thank the staff of the U.S. Environmental Protection Agency (USEPA) for the letter providing the conditional approval of the Self-Implementing Cleanup Plan (SICP; dated October 23, 2009) with conditions at the former Pacific Electric Motors Facility 1009 66th Avenue in Oakland, California (the "Site" letter dated, November 13, 2009; the "EPA Letter"). The excavation of the polychlorinated biphenyl affected soil began at the Site in accordance with the SICP and the EPA Letter on November 4, 2009.

Aspire and LFR's intention to comply with the parameters of the conditional approval are provided as follows:

1. Certification Signed by LFR & Aspire

A revised certification for this project signed by representatives of both Aspire and LFR is attached.

2. Pre-Demolition and Post-Demolition PCB survey

The pre-demolition and post-demolition sampling plan for building materials is provided as an attachment to this letter.

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3. Sampling & Analysis Plan

As acknowledged in the EPA Letter, LFR transmitted a Sampling and Analysis Plan for the Site (the "SAP") on November 5, 2009. This SAP focused on the objectives, methods, procedures associated with the soil samples to be collected and analyzed in conjunction with pre-demolition soil characterization and post-remediation soil sampling. As requested, the pre-demolition and post-demolition sampling plan for building materials is provided as an attachment ot this letter.

4. Sequence of Pre-Cleanup PCB Soil Characterization; Pre-Demolition Sampling; Soil Remediation; Soil Clean-Up Verification

Aspire and LFR will complete the project under the following sequence of work:

- Pre-Cleanup PCB Soil Characterization – The scope of this work was completed in accordance with the SAIC and the SAP
- Pre-Demolition Sampling - this sampling was completed in accordance with the building materials SAP provided above (in this letter).
- Soil Remediation - Site remedial actions are taking place at the Site in accordance with the Revised Corrective Action Plan, the SAIC, and the SAP
- Soil Clean-Up Verification and Post-Demolition Sampling - Soil clean up verification and post-demolition sampling will be conducted in accordance with the procedures provided in the CAP, SAP, and SAIC. As provided in the SAIC, post-demolition soil sampling regarding the removal of the sewer pipelines at the Site will take place by collecting soil samples adjacent to the sanitary and storm sewer pipelines that are to be abandoned as part of the redevelopment of the Site. If material (liquid or solid) is present in the sewer pipes, samples will be collected for PCB analysis (EPA test method 8082) so that the material may be disposed of in accordance with the procedures provided in the EPA letter (see item 5 below).
- Following the demolition of the large warehouse building, soil samples will be collected from the ground surface (surface soil samples) at areas of the Site that were unpaved during demolition activities. Soil samples will be collected on a 75-foot grid in the unpaved areas. Samples will be collected and analyzed using methods provided in the SAP.
- In addition to samples of material from in the sewer pipeline(s) and as provided in the SAIC, soil samples will be collected every approximately 50 feet of sewer line approximately 1 to 2 feet below the pipeline invert. The soil samples will be analyzed for PCBs in accordance with the SAP. If soil containing greater than 0.13 milligrams per kilogram (mg/kg) is detected in the soil samples, additional soil will be removed and the additional confirmation soil samples will be collected for analysis in accordance with the SAP.

5. PCB Remediation Waste

Aspire has the following EPA identification number for this property: CAC002647778. Aspire and LFR will dispose of the soil in accordance with the procedures provided in the EPA letter. As such (porous and non-porous) building materials will be disposed of in accordance with the following regulations:

§ *761.61 PCB Remediation Waste*

Bulk PCB remediation waste may be sent off-site for decontamination or disposal in accordance with this paragraph, provided the waste is either dewatered on-site or transported offsite in containers meeting the requirements of the DOT Hazardous Materials Regulations (HMR) at 49 CFR parts 171 through 180. (1) Removed water shall be disposed of according to paragraph (b)(1) of this section.

(2) Any person disposing off-site of dewatered bulk PCB remediation waste shall do so as follows:

(i) Unless sampled and analyzed for disposal according to the procedures set out in § 761.283, 761.286, and 761.292, the bulk PCB remediation waste shall be assumed to contain ≥ 50 ppm PCBs.

(ii) Bulk PCB remediation wastes with a PCB concentration of < 50 ppm shall be disposed of in accordance with paragraph (a)(5)(v)(A) of this section.

(iii) Bulk PCB remediation wastes with a PCB concentration ≥ 50 ppm shall be disposed of in a hazardous waste landfill permitted by EPA under section 3004 of RCRA, or by a State authorized under section 3006 of RCRA, or a PCB disposal facility approved under this part.

Analytical results of soil samples collected from soil boring 4B located in proposed excavation area PCB-EXC1, contained PCBs at a concentration of greater than 50 mg/kg (see Figure 2). Based on theses analytical results, soil excavated from this area will be transported off-site and disposed of at Waste Management's Kettleman Hills Landfill.

Analytical results of soil samples collected from soil borings located in proposed excavation areas PCB-EXC2, PCB-EXC3, and PCB-EXC4 of the Site contained PCBs at a concentration of less than 50 mg/kg (see Figure 2). Based on theses analytical results, this soil will be transported off-site and disposed of at Republic Services' Vasco Road Landfill located in Livermore, California.

§ *761.62 Disposal of PCB Bulk Product Waste*

(b) Disposal in solid waste landfills. (1) Any person may dispose of the following PCB bulk product waste in a facility permitted, licensed, or registered by a State as a municipal or non-municipal non-hazardous waste landfill.

Based on the analytical results of samples collected from the various building materials at the Site, the building materials from the Site generated from demolition activities will be transported off-site and disposed of at Republic Services' Vasco Road Landfill located in Livermore, California.

6. Measures to Prevent Exposure of the Neighboring Community to Air Borne Particulates

In accordance with the SICP, the following provides the details regarding the air monitoring plan for the proposed excavation and demolition activities that are proposed for the Site.

Air Monitoring and Dust Control Measures

Real-time aerosol monitoring devices (mini-RAM) will be used to monitor total dusts generated during site work. If dust in excess of background levels (greater than 0.25 milligram per cubic meter [mg/m^3] above background levels) is observed for a sustained period of time (greater than 5 minutes), appropriate dust suppression measures (e.g., spraying soil with water) will be undertaken.

A total dust action level of 0.25 mg/m^3 above background levels that is sustained for 15 minutes would be conservative for the various COPCs detected on the Site that would be likely to adhere to windblown dust and protective of the on-site workers and members of the surrounding community.

Field staff will obtain and document total dust readings from the mini-RAM throughout each work day when affected soil excavation activities are occurring on the Site. These readings will be obtained from air monitoring stations established along the Site's perimeters (a total of 5 stations; see Figure 2).

In addition to monitoring for total dust using at least four fixed air monitors, equipped with a mini-RAM, Personal Air Monitors (PAMs) used to collect air samples. The air samples will be collected on cassettes (media) that will be submitted to a laboratory for analysis of PCBs, arsenic, lead, and benzene. The air samples will be collected each work day when affected soil excavation activities and site demolition activities are occurring on the Site. Air monitoring stations will be at locations illustrated on Figure 2 (attached).

Air samples to be analyzed for PCBs will be collected on laboratory supplied filter tubes equipped with a solid sorbent material comprised of 13-mm glass fiber and Florisil. The samples media will be provided by and the samples will be an analyzed by EMSL Analytical, Inc. located in Westmont, New Jersey. Details regarding the collection and analytical methods for the air sample samples are provided in the attached documentation.

Public Notification

The public participation document mailed by the Alameda County Environmental Health has been laminated and is posted in two places along the fence that is adjacent to the public right-of way along 66th Avenue.

7. Revised Clean-up Level for PCBs in Soil

Aspire and LFR will remove soil containing PCBs at concentrations exceeding 0.13 mg/kg. If soil containing concentrations of PCBs greater than 0.13 mg/kg cannot be removed from the Site that area will be documented as described under item 9. Risk Management Plan and Deed Notice below.

8. Cap for Site

In accordance with the development plan for the Site, the entire property will be capped with either building structures, asphalt, or concrete. Prior to developing the Site, a minimum of 2 feet of imported fill will be placed and compacted as backfill in areas where affected soil has been previously removed from the Site. In addition, areas of the Site that will be redeveloped for vehicular traffic or structures, 8 to 12 inches of base rock will be imported to meet the geotechnical requirements of the redevelopment project.

9. Risk Management Plan and Deed Notice

A risk management plan will be prepared for the Site and a notice will be placed on the deed in accordance with item 9 of the EPA Letter.

10. Record Keeping and PCB Clean-Up Report

Documentation associated with the remediation of the PCB-affected soil and building materials will be retained and the PCB Clean-Up Report will be prepared in accordance with item 9 of the EPA Letter.

11. Restoration of the Site

The Site will be restored in accordance with the CAP, the SICP, and the EPA letter.

Following your review of this letter, please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,

Alan D. Gibbs, P.G., C.HG.
Vice President/Principal Hydrogeologist

Ron Goloubow, P.G.
Senior Associate Geologist

Attachments

Figures 1 and 2
Certification
Sampling Plan for Building Materials
Air Monitoring; Sample Analysis Methods

cc: Mr. Mike Barr– Aspire Charter Schools
Charles Robitaille – Pacific Charter Schools
Paresh Khatri – Alameda County Department of Environmental Health

LFR an ARCADIS company

Certification Statement

Owner: Aspire Charter Schools

Parties Conducting Cleanup: Arcadis and Innovative Construction Solutions

Project: Former Pacific Motors Facility – 1009 66th Avenue, Oakland, CA

In accordance with 761.61(a)(3)(i)(E); I, Michael Barr, hereby certify, that all sampling plans, sample collection procedures, sample preparation procedures, extraction procedures, and instrumental/chemical analysis procedures used to assess or characterize the presence, concentrations, and extent of polychlorinated biphenyl- (PCB) impacted media for Former Pacific Motors Facility – 1009 66th Avenue, Oakland, CA are on file and available for USEPA review at the following location:

LFR Inc. an Arcadis Company

Contact: Ron Goloubow

Under civil and criminal penalties of law for the making or submission of false or fraudulent statements or representations (18 U.S.C. 1001 and 15 U.S.C. 2615), I certify that the information contained in or accompanying this document is true, accurate, and complete. As to the identified section(s) of this document for which I cannot personally verify truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate, and complete.

By: _____

Michael Barr - Aspire Charter Schools

By: _____

Ronald Goloubow – LFR Inc. an Arcadis Companmy

Date: _____